

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

REY ANTONIO RODRIGUEZ,

Plaintiff,

v.

COUNTY OF SACRAMENTO, et al.,

Defendants.

No. 2:23-cv-00451-DAD-SCR (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
DEFENDANT SACRAMENTO COUNTY
SHERIFF'S MOTION TO DISMISS

(Doc. Nos. 20, 23)

Plaintiff, a county jail inmate proceeding *pro se* and *in forma pauperis*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 21, 2025, the magistrate judge issued findings and recommendations recommending that defendant Sacramento County Sheriff's motion to dismiss (Doc. No. 20), be granted. (Doc. No. 23.) Specifically, the magistrate judge concluded that in his complaint plaintiff did not name the Sacramento County Sheriff as a defendant in this action, did not direct any claims against the Sheriff, and indeed had now clarified that he had intended to sue the Sacramento County Sheriff's Department and not the Sheriff as an individual in this action. (*Id.* at 5.)

The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id.*

1 at 10.) To date, no objections to the findings and recommendations have been filed, and the time
2 in which to do so has now passed.

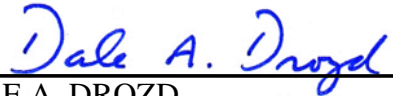
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
4 de novo review of the case. Having carefully reviewed the entire file, the court concludes that the
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly:

- 7 1. The findings and recommendations (Doc. No. 23) are adopted in full;
- 8 2. Movant Sacramento County Sheriff's motion to dismiss (Doc. No. 20) is
9 GRANTED;
- 10 3. The Clerk of the Court is directed to terminate movant Sacramento County Sheriff
11 from the docket in this action; and
- 12 4. This case is referred back to the assigned magistrate judge for further proceedings.

13 IT IS SO ORDERED.

14 Dated: September 19, 2025

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16 DALE A. DROZD
17 UNITED STATES DISTRICT JUDGE
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